IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
DeRosier et al.

Serial No.: **09/945,096**

Filed: **August 31, 2001**

For: **System and Method for Sociometric Data Collection and Analysis**

Docket No: **4846-001**

PATENT PENDING

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Commissioner for Patents
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4/4/06
Date

Edward H. Green, III

RULE 1.131 AFFIDAVIT OF DR. DEROSIER

I, Dr. Melissa E. DeRosier, hereby declare as follows:

1. I am the inventor of the invention disclosed and claimed in U.S. Patent Application Serial No. 09/945,096, filed August 31, 2001.

2. At least as early as November 1999, I conceived the idea of creating a software program to facilitate and automate many of the steps involved in performing sociometric data collection and analysis. Sociometry may be defined as the quantitative study of interpersonal relationships in populations, especially the study and measurement of preferences. One form of sociometric data collection to generate a questionnaire for a target group, asking sociometric questions and providing a plurality of potential nominations as answers to the questions, the nominations corresponding to individuals in the group. The sociometric questions may ask users to select nominations for categories or descriptions, such as Liked Most, Liked Least, Is

Aggressive, Is Picked On, and the like. When properly analyzed, these questionnaires may reveal otherwise hidden interpersonal relationships and social status within the group, identifying individuals who may benefit from counseling or intervention by psychiatric professionals. One form of sociometric analysis of such data is a form of statistical analysis, where individuals' nominations by others in the group are normalized and plotted along various axes, such as most and least liked. According to my invention, a software program on a general purpose computer would generate standard and individualized sociometric questionnaires, receive the results through customized, interactive data screens, perform a variety of calculations and sociometric analyses, and output the results of the analyses in various forms. In particular, the program would generate inventive probability and strength scores as quantitative measures of the accuracy and strength of an individual's classification are computed and reported along with each individual's sociometric classification. In addition, the program would generate inventive graphical displays that present the results of sociometric analysis in an intuitive, easily understood form. Such a program may have particular utility in the classroom, performing sociometric analysis of children.

3. From at least as early as November 1999, I directed and oversaw the development of the software – known as 3-C SCAN – incorporating the sociometric data collection and analysis ideas described above. Jim Thomas was the primary programmer developing the software. Attached as Exhibit 1 is a chronology by Mr. Thomas of the development of the sociometric data collection and analysis software, known as the 3-C SCAN program. Included in Exhibit 1 are screen shots of directory listings on the computer on which the software was developed. The significance of various files and directories is explained in Exhibit 1, which also depicts the last time of creation or modification of the files. As Exhibit 1 describes, a pre-release version of the software (3c-alpha) was created at least as early as January 1, 2000. Successive pre-release versions (3c-beta through 3c1-beta) were created between January and August 2000. As also

described in Exhibit 1, version 1.0 of the 3-C SCAN program was created at least as early as October 22, 2000.

4. The invention claimed in U.S. Patent Application Serial No. 09/945,096, of which I am the named inventor, was conceived at least as early as November 2000 and pursued with reasonable diligence until its reduction to practice with a fully functional, full-featured, releasable version in October 2000.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

3-21-06
Date

Dr. Melissa E. DeRosier

Early History of the 3-C SCAN Program

This document describes the early development of 3-C SCAN by me, Jim Thomas. I have included screen captures from the computer I used to create SCAN that show the modification dates for the files and folders. Note that each modification date shows the latest change to a particular file or folder. Actual coding began several months prior to these dates and conceptualization of the product, including design and methods, took place considerably earlier than the coding of the software program.

The screen capture in Figure 1 shows the files in a folder called "3c – alpha" which contains the earliest versions of the code for 3-C SCAN program. The files of type "VisualCafe File" that end with the ".java" extension are the actual Java-language source files of the program. Note that JimWindow.java and StudyParms.java, two of the source file components of the 3-C SCAN program were last updated in mid-November of 1999.

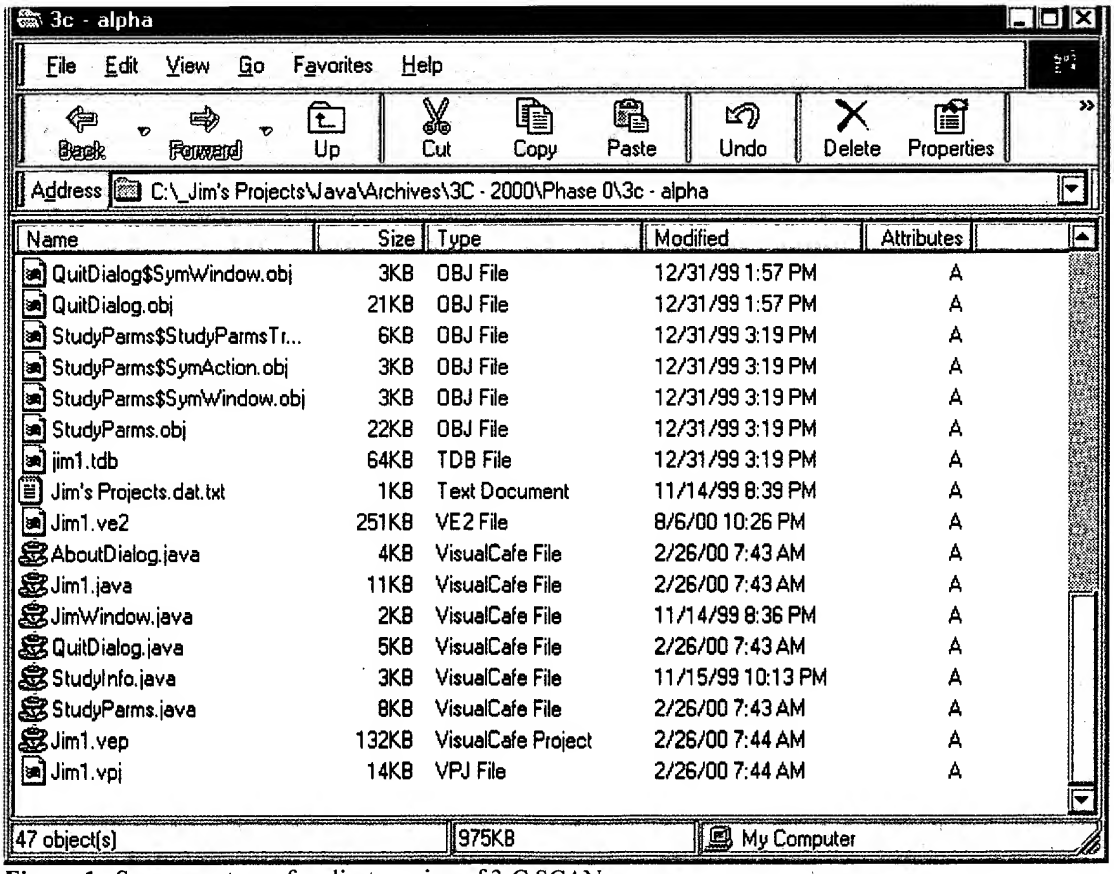

Figure 1 Screen capture of earliest version of 3-C SCAN

Figure 2 shows the progression of SCAN from the "3c – alpha" folder through later versions of the product demarcated with subsequent letters of the Greek alphabet. As these are folders, the modification date reflects the latest date at which a file was added or deleted from the folder.

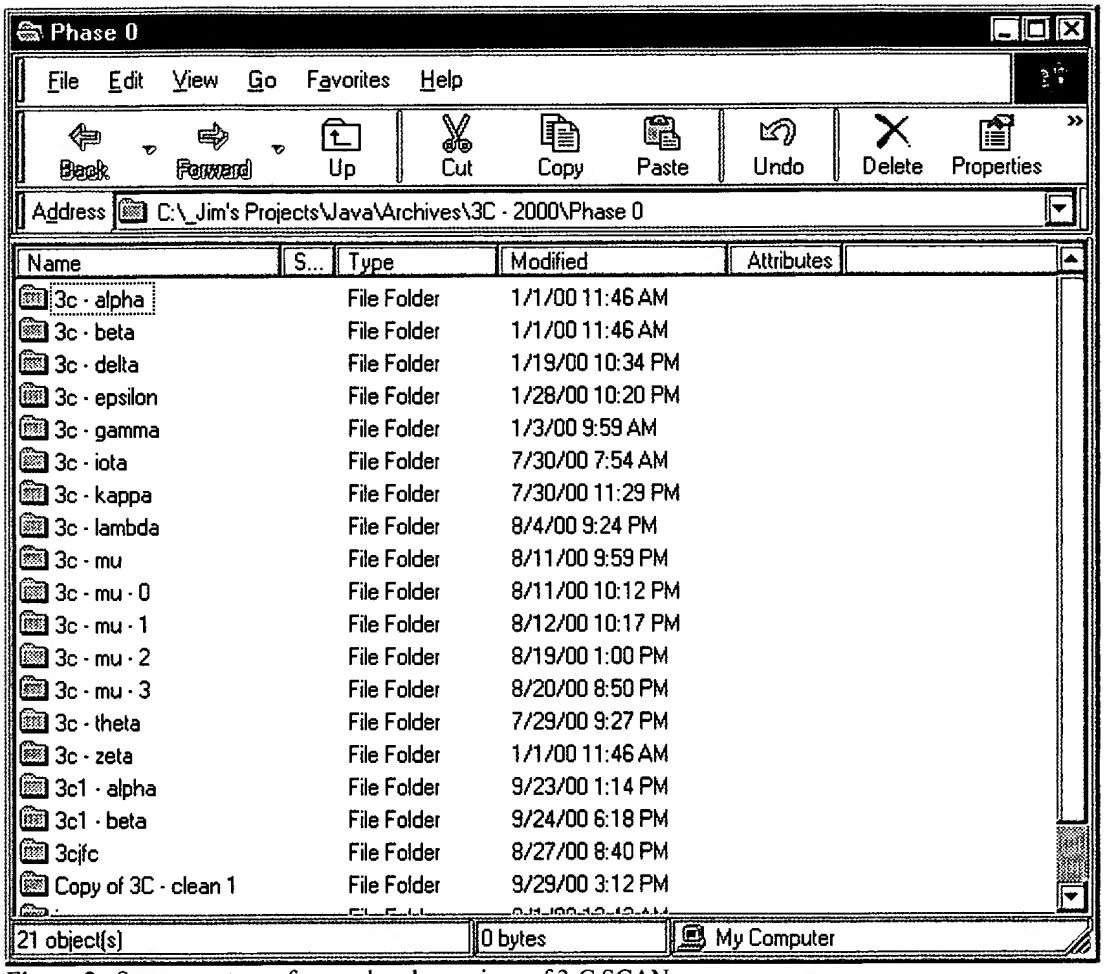

Figure 2 Screen capture of several early versions of 3-C SCAN

Finally, Figure 3 shows a snapshot of the first internal release of 3C-SCAN, version 1.0. Of note are the substantial number and sizes of Java code source files that comprise the product at this point. Also note that many of these files were last changed in September of 2000. Taken together, these three figures show that SCAN development began in November of 1999, and that by October of 2000, the program had matured into a substantial releasable product.

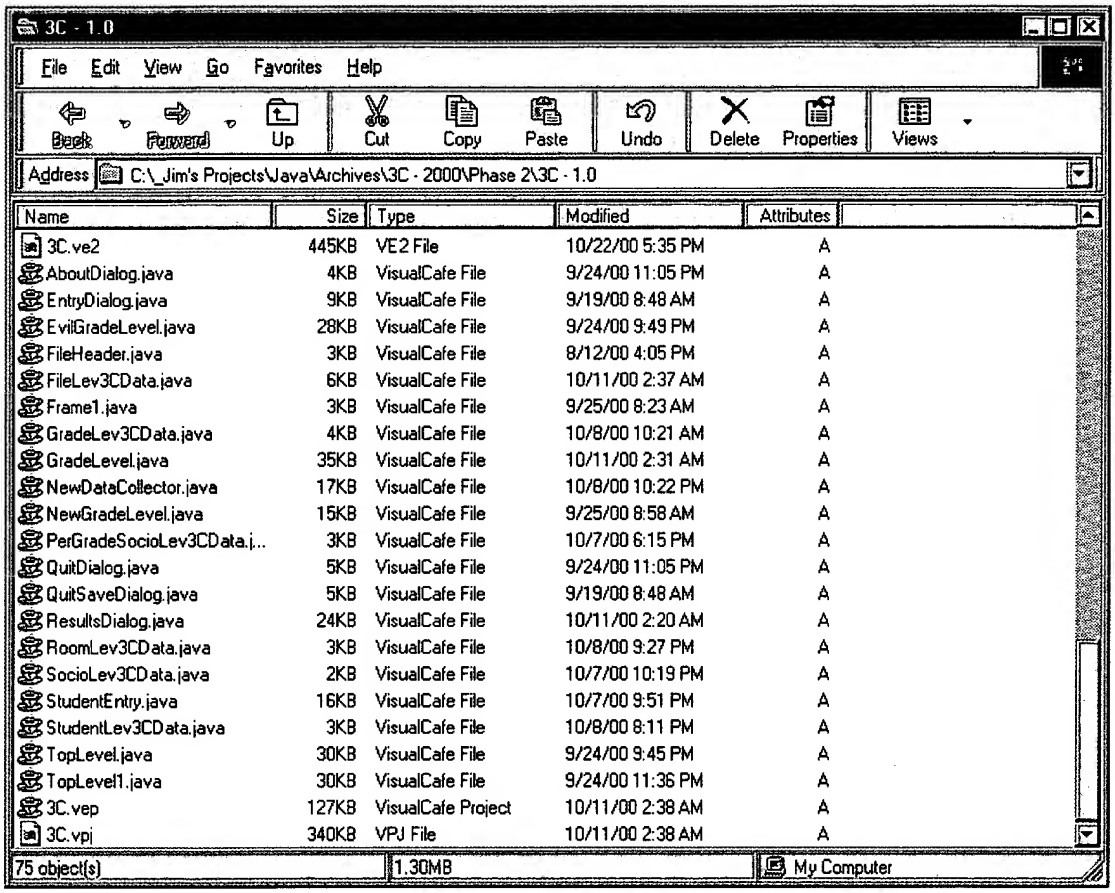

Figure 3 Screen capture of Java source code files for the 1.0 release of SCAN, circa October 2000.